

Union Calendar No. 238

112TH CONGRESS }
1st Session

HOUSE OF REPRESENTATIVES

{ REPORT
112-353

SEMIANNUAL REPORT ON THE ACTIVITY
OF THE
HOUSE PERMANENT SELECT COMMITTEE
ON INTELLIGENCE
FOR THE
ONE HUNDRED TWELFTH CONGRESS



DECEMBER 29, 2011.—Committed to the Committee of the Whole House
on the State of the Union and ordered to be printed

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LETTER OF TRANSMITTAL

HOUSE OF REPRESENTATIVES,
PERMANENT SELECT COMMITTEE ON INTELLIGENCE,
Washington, DC, December 29, 2011.

Hon. KAREN HAAS,
Clerk, United States House of Representatives,
Washington, DC.

DEAR MRS. HAAS: Pursuant to clause 1(d) of rule XI of the Rules of the House of Representatives for the 112th Congress, I present herewith a report entitled "Semiannual Report on the Activity of the Permanent Select Committee on Intelligence, 112th Congress."

Sincerely,

MIKE ROGERS,
Chairman.

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DECEMBER 29, 2011.—Committed to the Committee of the Whole House on the State of the Union and ordered to be printed

Mr. ROGERS of Michican, from the Permanent Select Committee on Intelligence, submitted the following

R E P O R T

PERMANENT SELECT COMMITTEE ON INTELLIGENCE

FULL COMMITTEE LIST

MIKE ROGERS, Michigan, <i>Chairman</i>	C.A. DUTCH RUPPERSBERGER, Maryland, <i>Ranking Member</i>
MAC THORNBERRY, Texas	MIKE THOMPSON, California
SUE MYRICK, North Carolina	JANICE SCHAKOWSKY, Illinois
JEFF MILLER, Florida	JAMES R. LANGEVIN, Rhode Island
K. MICHAEL CONAWAY, Texas	ADAM B. SCHIFF, California
PETER T. KING, New York	DAN BOREN, Oklahoma
FRANK A. LOBIONDO, New Jersey	LUIS V. GUTIERREZ, Illinois
DEVIN NUNES, California	BEN CHANDLER, Kentucky
LYNN A. WESTMORELAND, Georgia	
MICHELE BACHMANN, Minnesota	
THOMAS J. ROONEY, Florida	
JOSEPH J. HECK, Nevada	

MICHAEL ALLEN, *Staff Director*

SUBCOMMITTEE LIST

SUBCOMMITTEE ON TERRORISM, HUMAN INTELLIGENCE, ANALYSIS, AND COUNTERINTELLIGENCE

SUE MYRICK, North Carolina, <i>Chairman</i>	MIKE THOMPSON, California <i>Ranking Member</i>
K. MICHAEL CONAWAY, Texas	DAN BOREN, Oklahoma
PETER T. KING, New York	LUIS V. GUTIERREZ, Illinois
FRANK A. LOBIONDO, New Jersey	
THOMAS J. ROONEY, Florida	

SUBCOMMITTEE ON TECHNICAL AND TACTICAL INTELLIGENCE

JOSEPH J. HECK, Nevada, <i>Chairman</i>	ADAM B. SCHIFF, California <i>Ranking Member</i>
MAC THORNBERRY, Texas	JAMES R. LANGEVIN, Rhode Island
FRANK LoBIONDO, New Jersey	BEN CHANDLER, Kentucky
DEVIN NUNES, California	
MICHELE BACHMANN, Minnesota	

SUBCOMMITTEE ON OVERSIGHT AND INVESTIGATIONS

LYNN A. WESTMORELAND, Georgia <i>Chairman</i>	JANICE SCHAKOWSKY, Illinois <i>Ranking Member</i>
JEFF MILLER, Florida	MIKE THOMPSON, California
DEVIN NUNES, California	DAN BOREN, Oklahoma
MICHELE BACHMANN, Minnesota	
THOMAS J. ROONEY, Florida	

JURISDICTION AND SPECIAL OVERSIGHT FUNCTION

Clause 11(b)(1) of rule X of the Rules of the House of Representatives for the 112th Congress sets forth the jurisdiction of the Permanent Select Committee on Intelligence—

(A) The Central Intelligence Agency, the Director of National Intelligence, and the National Intelligence Program as defined in section 3(6) of the National Security Act of 1947.

(B) Intelligence and intelligence-related activities of all other departments and agencies of the Government, including the tactical intelligence and intelligence-related activities of the Department of Defense.

(C) The organization or reorganization of a department or agency of the Government to the extent that the organization or reorganization relates to a function or activity involving intelligence or intelligence-related activities.

(D) Authorities for appropriations, both direct and indirect, for the following:

(i) The Central Intelligence Agency, the Director of National Intelligence, and the National Intelligence Program as defined in section 3(6) of the National Security Act of 1947.

(ii) Intelligence and intelligence-related activities of all other departments and agencies of the Government, including the tactical intelligence and intelligence-related activities of the Department of Defense.

(iii) A department, agency, subdivision, or program that is a successor to an agency or program named or referred to in (i) or (ii).

Clause 3(m) of rule X of the Rules of the House of Representatives for the 112th Congress sets forth the Special Oversight Function of Permanent Select Committee on Intelligence as follows—
“The Permanent Select Committee on Intelligence shall review and study on a continuing basis laws, programs, and activities of the intelligence community and shall review and study on an exclusive basis the sources and methods of entities described in clause 11(b)(1)(A).”

LEGISLATIVE AND OVERSIGHT ACTIVITIES

During the second half of the first session of the 112th Congress, 10 bills or resolutions were referred to the Permanent Select Committee on Intelligence. The Full Committee reported to the House or was discharged from the further consideration of 2 measures, not including conference reports, and has ordered a third measure to be reported. No measures regarding matters within the Committee's jurisdiction were enacted into law.

The following is a summary of the legislative and oversight activities of the Permanent Select Committee on Intelligence during the second quarter of the 112th Congress. In addition, this report includes a summary on hearings held pursuant to clauses 2(n), (o), and (p) under House rule XI.

LEGISLATIVE ACTIVITIES

FULL COMMITTEE

INTELLIGENCE AUTHORIZATION ACT FOR FISCAL YEAR 2012

(H.R. 1892)

Summary

H.R. 1892 authorizes funds for appropriations for fiscal year 2012 for the conduct of the intelligence and intelligence-related activities of the following elements of the United States Government: (1) the Office of the Director of National Intelligence; the Central Intelligence Agency; the Department of Defense; the Defense Intelligence Agency; the National Security Agency; the Department of the Army, the Department of the Navy, and the Department of the Air Force; the Coast Guard; the Department of State; the Department of Treasury; the Department of Energy; The Department of Justice; the Federal Bureau of Investigation; the Drug Enforcement Administration; the National Reconnaissance Office; the National Geospatial-Intelligence Agency; and the Department of Homeland Security. The amounts authorized to be appropriated and the authorized personnel ceilings for the conduct of intelligence activities of the elements listed above are specified in a classified Schedule of Authorizations prepared to accompany the bill.

Legislative History

H.R. 1892 was introduced by Representative Mike J. Rogers on May 13, 2011. The bill was referred to the Permanent Select Committee on Intelligence on May 13, 2011.

On May 26, 2011, the Permanent Select Committee on Intelligence held a business meeting to consider H.R. 1892 and ordered the bill reported with amendments to the House by voice vote.

On September 2, 2011, the Permanent Select Committee on Intelligence reported the bill to the House.

On September 9, 2011, the House considered H.R. 1892 and passed the bill by recorded vote, 384 ayes and 14 noes.

On December 14, 2011, the Senate passed H.R. 1892, as amended, by unanimous consent.

On December 16, 2011, the House considered H.R. 1892, as amended by the Senate, and passed by recorded vote, 396 ayes and 23 noes.

CYBER INTELLIGENCE SHARING AND PROTECTION ACT OF 2011

(H.R. 3523)

Summary

H.R. 3523 provides for the sharing of certain cyber threat intelligence and cyber threat information between the intelligence community and cybersecurity entities, and for other purposes.

Legislative History

H.R. 3523 was introduced by Representative Mike J. Rogers (for himself and Mr. Ruppersberger, Mr. King of New York, Mr. Upton, Mrs. Myrick, Mr. Langevin, Mr. Conaway, Mr. Miller of Florida, Mr. Boren, Mr. LoBiondo, Mr. Chandler, Mr. Nunes, Mr. Gutierrez, Mr. Westmoreland, Mrs. Bachmann, Mr. Rooney, Mr. Heck, Mr. Dicks, Mr. McCaul, Mr. Walden, Mr. Calvert, Mr. Shimkus, Mr. Terry, Mr. Burgess, Mr. Gingrey of Georgia, Mr. Thompson of California, Mr. Kinzinger of Illinois, Mr. Amodei, and Mr. Pompeo) on November 30, 2011. The bill was referred to the Permanent Select Committee on Intelligence on November 30, 2011.

On December 1, 2011, the Permanent Select Committee on Intelligence Committee held a business meeting to consider H.R. 3523 and ordered the bill reported with amendments to the House by voice vote.

THE MIDDLE CLASS TAX RELIEF AND JOB CREATION ACT OF 2011

(H.R. 3630)

Summary

H.R. 3630 provides incentives for the creation of jobs, and for other purposes.

Legislative History

H.R. 3630 was introduced by Representative Dave Camp on December 9, 2011. The bill was referred to the Committee on Ways and Means, and in addition to the Committees on Energy and Commerce, Financial Services, Foreign Affairs, Transportation and Infrastructure, Agriculture, Oversight and Government Reform, House Administration, the Budget, Natural Resources, Rules, and the Permanent Select Intelligence.

On December 13, the House considered and passed H.R. 3630 by recorded vote, 234 ayes and 193 noes.

OVERSIGHT PLAN FOR THE 112TH CONGRESS

Clause 1(d)(2)(E) of rule XI also requires that each committee provide a delineation of any hearings held pursuant to clauses 2(n), (o), or (p) of rule XI. Those clauses require the committee, or a subcommittee thereof, to hold at least one hearing on egregious instances of agency waste, fraud, and abuse, at least one hearing on agency financial statements, and one hearing on examples of waste, fraud, and abuse raised by the Comptroller General of the United States.

As part of the Committee's oversight and authorization of the intelligence community budget, the Committee conducts numerous classified hearings and briefings that focus on issues of potential

waste, fraud, and abuse in federal agencies. These Committee efforts resulted in the Intelligence Community Authorization Act of 2012, which has passed Congress and has been forwarded to the President for signature. This bill contained a detailed classified annex on all intelligence community programs and budgets. A review of potential waste, fraud, and abuse within these programs is an inextricable part of the development of the classified annex.

APPENDIX I

PART A—COMMITTEE REPORTS

Reports filed by the Permanent Select Committee on Intelligence with the House:

112–197: To Accompany H.R. 1892, a bill to authorize appropriations for fiscal year 2012 for intelligence and intelligence-related activities of the United States Government.

PART B—PUBLIC LAWS

No bills that contained matters within the jurisdiction of the Permanent Select Committee on Intelligence were enacted into law during the second six months of 112th Congress.

PART C—COMMITTEE HEARINGS AND BRIEFINGS

On Thursday, June 2, 2011, the Full Committee held a closed hearing on Israel/Palestinian Authority Update.

On Monday, June 13, 2011, the Full Committee held a closed briefing.

On Thursday, June 16, 2011, the Full Committee held a closed hearing on United States involvement in Libya.

On Tuesday, June 21, 2011, the Full Committee held a closed briefing.

On Thursday, June 23, 2011, the Full Committee held a closed briefing and an open business meeting to consider Adoption of the Semiannual Committee Activity Report.

On Friday, June 24, 2011, the Subcommittee on Terrorism, HUMINT, Analysis and Counterintelligence held a closed briefing.

On Wednesday, July 6, 2011, the Full Committee held a closed briefing.

On Thursday, July 14, 2011, the Full Committee held a closed hearing on China.

On Tuesday, July 19, 2011, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Monday, July 25, 2011, the Full Committee held a closed briefing.

On Wednesday, July 27, 2011, the Subcommittee on Terrorism, HUMINT, Analysis and Counterintelligence held an open hearing on Preventing Violent Extremism in America: A Report from the Bipartisan Policy Center.

On Thursday, July 28, 2011, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Wednesday, September 7, 2011, the Full Committee held a closed briefing.

On Tuesday, September 13, 2011, the Full Committee held a joint open hearing with the Senate Select Committee on Intelligence on The State of Intelligence Reform 10 Years after 9/11.

On Wednesday, September 14, 2011, the Full Committee held a closed briefing.

On Wednesday, September 21, 2011, the Subcommittee on Terrorism, HUMINT, Analysis and Counterintelligence held a closed briefing.

On Thursday, September 22, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Friday, September 23, 2011, the Full Committee held a closed briefing.

On Tuesday, October 4, 2011, the Full Committee held an open hearing on Cyber Threats and Ongoing Efforts to Protect the Nation.

On Thursday, October 6, 2011, the Full Committee held an open hearing on Domestic Threat Intelligence.

On Tuesday, October 11, 2011, the Full Committee held a closed briefing and a closed business meeting to consider an Access Request.

On Monday, October 24, 2011, the Full Committee held a closed briefing.

On Tuesday, October 25, 2011, the Full Committee held a closed briefing.

On Thursday, October 27, 2011, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Monday, November 14, 2011, the Full Committee held a closed briefing.

On Wednesday, November 16, 2011, the Subcommittee on Terrorism, HUMINT, Analysis and Counterintelligence held a closed briefing.

On Thursday, November 17, 2011, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Friday, November 18, 2011, the Subcommittee on Technical and Tactical Intelligence held a closed briefing.

On Tuesday, November 29, 2011, the Full Committee held a closed briefing.

On Thursday, December 1, 2011, the Full Committee held an open business meeting to consider H.R. 3523, the Cyber Intelligence Sharing and Protection Act of 2011, which was ordered reported, as amended.

On Monday, December 5, 2011, the Full Committee held a closed briefing.

On Wednesday, December 7, 2011, the Subcommittee on Terrorism, HUMINT, Analysis and Counterintelligence held a closed briefing.

On Thursday, December 8, 2011, the Full Committee held a closed hearing on Ongoing Intelligence Activities.

On Monday, December 12, 2011, the Full Committee held a closed briefing.